

**KANAB CITY COUNCIL MEETING
MAY 12, 2009
KANE COUNTY COMMISSION CHAMBERS**

PRESENT: Mayor Kim T. Lawson, Council Members Tony Chatterley, Nina Laycook, James Sorenson, Terril Honey and Steve Mower, City Attorney Van Mackelprang, City Manager/Recorder Keith L. McAllister and City Treasurer RaeLene Johnson.

WORK MEETING: Opening prayer was given by Attorney Van Mackelprang. A motion to go into executive session to discuss litigation was made by Council Member Honey and 2nd by Council Member Chatterley. Motion passed unanimously. A motion to go out of executive session was made by Council Member Chatterley and 2nd by Council Member Laycook. Motion passed unanimously.

Mayor Lawson opened the regularly scheduled meeting at 7:18 p.m. Mayor Lawson welcomed Tay Gallagher a scout from Troop 363 working on his communication merit badge.

APPROVE MINUTES & VOUCHERS: A motion was made by Council Member Chatterley and 2nd by Council Member Honey to approve the minutes of the April 14th meeting and the vouchers. Motion passed unanimously.

APPOINTMENT OF APPEALS OFFICER: A motion was made by Council Member Honey and 2nd by Council Member Mower to appoint Randy Allen, Public Defender from Cedar City, Utah, to be the new appeals officer. Motion passed unanimously.

DISCUSS ECONOMIC SUMMIT: Mr. Kelly Stowell addressed the Council about the upcoming Economic Summit with CEBA. He said that Lt. Governor Herbert will be here as the keynote speaker on May 15-16th. Sheldon Honey, President of the Chamber of Commerce addressed the Council. The meeting on Friday the 15th will begin at 4:00 p.m. which will be an Entrepreneur Forum meeting. At 7:00 p.m. will be a dutchoven barbeque dinner and entertainment with the State of the State address given by Lt. Governor Herbert. On Saturday the 16th there will be break-out sessions from 9:00 a.m. to 1:00 p.m.

PRESENTATION OF PETITION FOR ANNEXATION: Mr. Harold Hamblin addressed the Council requesting they accept his petition for annexation. It is contiguous with the City limits. A motion was made by Council Member Sorenson and 2nd by Council Member Chatterley to accept petition for annexation for property owned by Cynthia and Harold Hamblin subject to receiving the final plat from Talbot Surveyors. Motion passed unanimously.

REQUEST APPROVAL OF A CLASS A BEER LICENSE FOR LITTLE'S SHELL LOCATED AT 265 EAST 300 SOUTH: A motion was made by Council Member Chatterley and 2nd by Council Member Laycook to approve the Class A Beer License for Little's Shell Station located at 265 East 300 South. Motion passed unanimously.

CONSIDER APPROVAL OF EMERGENCY WATER CONNECTION SITE BETWEEN KANAB CITY AND THE WATER CONSERVANCY DISTRICT: Mr. Tom Avant addressed the Council explaining the final pump house location. It will actually be an

underground vault not an above ground structure. It will be less expensive to install. There won't be any boring under the highway. It will be close to the east entrance to Quality Inn. It will be installed within the City's right-of-way, and will be City owned. It will also be landscaped. A motion was made by Council Member Honey and 2nd by Council Member Mower to approve the emergency water connection site at 815 South Highway 89 as recommended by the Planning Commission. Motion passed unanimously.

CONSIDER ADOPTING PROCLAMATION TO OBSERVE ARBOR DAY: Mayor Lawson read the Proclamation. A motion was made by Council Member Laycook and 2nd by Council Member Sorenson to proclaim Thursday, May 21st 2009 as Arbor Day in Kanab and invite citizens to attend a presentation of tree information and a brief Tree City USA recognition award ceremony at 5:00 p.m. at the Southwest Technology Area College building and urge all citizens to plant trees according to the Right Tree in the Right Place guidelines and to cease the harmful and costly practice of "Topping" trees. Motion passed unanimously.

DISCUSS SUPPORT FOR MAIDIA WITHERS DANCE PRESENTATION: Ms Withers was originally from Kanab. She is a renowned dance instructor. The City feels it an honor to have her to present her dance presentation and invite all to attend.

APPOINT TENNIS COORDINATOR: A motion was made by Council Member Laycook and 2nd by Council Member Chatterley to appoint Sharon Brady Kanab City's Tennis Coordinator. Motion passed unanimously.

CONSIDER FINAL PAYMENT ON SWIMMING POOL CONSTRUCTION: City Manager McAllister explained that the Mayor, Mark Wilson and Craig Nielsen with CEM and he had looked over the swimming pool to see if there were anything that needed to be fixed before final payment was made. It was discovered that there were some small cracks in the grout, but it would be covered in the 15 year warranty of the pool. Council Member Sorenson recommended getting a letter from CEM stating that the cracks in the grout was recognized as a potential warranty problem. A motion was made by Council Member Laycook and 2nd by Council Member Chatterley to authorize final payment on the swimming pool construction contingent on a final completion letter from Architect Mark Wilson, Rocky Mountain Construction, and from Craig Nielsen with CEM and also a letter recognizing the potential problems with the cracked grout that would fall under the 15 year warranty. Motion passed unanimously.

PRESENTATION OF PRELIMINARY FISCAL YEAR 2009/10 BUDGET: City Manager McAllister passed out the draft budgets to the Council. He instructed them to let him know if they had any questions before the first meeting on June 9th.

A motion to adjourn was made by Council Member Chatterley and 2nd by Council Member Laycook. Motion passed unanimously.

MAYOR

KIM T. LAWSON

RECORDER KEITH MCALLISTER